## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

UNITED STATES OF AMERICA	) Case No. 1:18-cr-033-TRM-SKL-01
v.	)
LANCE RICHARD BROCK	)

## **MEMORANDUM AND ORDER**

LANCE RICHARD BROCK, ("Defendant") appeared for a hearing on April 29, 2021, in accordance with Rules 5 and 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant for an Offender Under Supervision ("Petition") in the above matter.

Defendant was placed under oath and informed of his constitutional rights. It was previously determined that Defendant wished to be represented by an attorney and he qualified for appointed counsel. Attorney Samuel F. Robinson, III was appointed to represent Defendant. It was also determined that Defendant had been provided with and reviewed with counsel a copy of the Petition.

On April 29, 2021, upon motion of the Government that Defendant be detained without bail pending resolution of his pending Petition, Defendant requested preliminary and detention hearings and time to prepare for said hearings. The hearings were set to take place on May 7, 2021. On May 5, 2021, Defendant filed an unopposed motion for a mental evaluation motion and a motion seeking to strike the preliminary and detention hearings [Doc. 40]. Defendant's unopposed motion was granted on May 7, 2021, and an order of commitment for mental evaluation was entered by the Court.

Defendant's motion to strike the hearings [Doc. 40] is hereby **GRANTED**. Based upon the Petition and waiver of preliminary hearing, the Court finds there is probable cause to believe Defendant has committed violations of his condition of supervised release as alleged in the Petition.

## Accordingly, it is **ORDERED** that:

- (1) Once Defendant's mental competency is determined, counsel for Defendant and the Government shall confer and make best efforts to submit to U.S. District Judge McDonough a proposed Agreed Order with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision.
- (2) In the event counsel are unable to reach agreement with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision, they shall request a hearing before U.S. District Judge McDonough.

(3) The Government's motion that Defendant be <b>DETAINED WITHOUT BAIL</b> pending
further order from this Court is GRANTED. Defendant may file a motion seeking a detention
hearing, if appropriate, upon his return from his commitment for a mental evaluation.
SO ORDERED.

SO OKDEKED

ENTER. s/ Susan K. Lee

SUSAN K. LEE

UNITED STATES MAGISTRATE JUDGE